

**SENATE JOURNAL**  
**FIFTEENTH DAY**  
**MORNING SESSION**

The Senate was called to order at 10:00 a.m., with President R. Lane Beattie presiding.

**Roll Call**– All Senators present.

**Prayer** – Pastor Steven Klemz, Zion Evangelical Lutheran Church.

**READING OF TITLES OF BILLS AND RESOLUTIONS**

*(Please refer to Day 1, Page 6)*

**DAILY SENATE JOURNAL**

Mr. President: February 2, 1998

The Committee on Revision of the Daily Senate Journal respectfully reports that we have read the journal for the twelfth day and find it correct with minor amendments noted on the final copy.

Robert Muhlestein  
Committee Member

Committee report read and adopted.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: January 30, 1998

The House passed, **S.J.R. 4**, RESOLUTION SUPPORTING AFFORDABLE AND ACCESSIBLE HOUSING FROM OLYMPIC HOUSING, by Senator P. Suazo, which has been signed by the Speaker and it is transmitted for the signature of the President.

Carole E. Peterson, Chief Clerk

**S.J.R. 4** was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

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Mr. President: January 30, 1998

The House passed **H.B. 68**, APPROPRIATION FOR USU PASTURE AND FORAGE INITIATIVE, by Representative E. Anderson, and it is transmitted for consideration; and

The House passed **H.B. 72**, UNLAWFUL SEXUAL ACTIVITY WITH A MINOR, by Representative G. Curtis, and it is transmitted for consideration; and

The House passed **H.B. 77**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, by Representative D. Ure, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 176**, EMERGENCY INJECTION FOR ANAPHYLACTIC REACTION, by Representative M. Dayton, and it is transmitted for consideration; and

The House passed **H.B. 211**, SPECIAL SESSION PUBLIC HEARING REQUIREMENTS, by Representative E. Olsen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 258**, GAMBLING AMENDMENTS, by Representative B. Chard, and it is transmitted for consideration; and

The House passed **H.B. 260**, PUBLIC EDUCATION SERVICES APPROPRIATION, by Representative J. Gowans, and it is transmitted for consideration; and

The House passed **H.B. 273**, WATER EXCHANGE APPLICATIONS, by Representative D. Ure, and it is transmitted for consideration; and

The House passed, as amended, **H.J.R. 11**, REHABILITATION OF WILDFIRE DAMAGED LANDS RESOLUTION, by Representative B. Johnson, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 68, H.B. 72, H.B. 77, H.B. 176, H.B. 211, H.B. 258, H.B. 260, H.B. 273**, and **H.J.R. 11** were read the first time and referred to the President of the Senate.

### STANDING COMMITTEE REPORTS

Mr. President: January 29, 1998

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **H.B. 26**, TRADE OR BUSINESS NAMES, by Representative R. Bigelow; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **H.B. 213**, NATIVE AMERICAN COORDINATING BOARD MEMBERSHIP, by Representative B. Evans; and

The Business, Labor, and Economic Development Committee reports a favorable recommendation on **H.B. 222**, BOILER INSPECTION AMENDMENTS, by Representative G. Adair, and recommends it be considered read for the second time and placed on the Consent Calendar.

Steven Poulton, Chair

On motion of Senator Holmgren, the committee reports were adopted. **H.B. 26** and **H.B. 213** were placed on Second Reading Calendar.

On motion of Senator Holmgren, **H.B. 222** was read for the second time and placed on the Consent Calendar.

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Mr. President:

January 30, 1998

The Transportation and Public Safety Committee reports a favorable recommendation on **S.B. 129**, MOTOR VEHICLE ACCIDENT INSURANCE COVERAGE, by Senator L. Jones; and

The Transportation and Public Safety Committee reports a favorable recommendation on **H.B. 9**, APPROPRIATION FOR ADDITIONAL HIGHWAY PATROLMEN, by Representative G. Adair, with the following amendments:

1. Page 1, Line 7:  
Delete "\$6,736,000" and insert "\$2,368,125"
2. Page 1, Line 8:  
Delete "80" and insert "30"
3. Page 1, Line 13:  
Delete "\$6,736,000" and insert "\$2,368,125"
4. Page 1, Line 15:  
Delete "80" and insert "30"; and

The Transportation and Public Safety Committee reports a favorable recommendation on **H.B. 174**, WINDOW TINTING AMENDMENTS, by Representative D. Bush; and

The Transportation and Public Safety Committee reports a favorable recommendation on **H.B. 214**, MOTOR VEHICLE IDENTIFICATION, by Representative J. Tanner; and

The Transportation and Public Safety Committee reports a favorable recommendation on **H.B. 220**, DISPLAY OF LICENSE PLATES ON TRUCKS AND TRAILERS, by Representative G. Adair, and recommends it be considered read for the second time and placed on the Consent Calendar.

Al Mansell, Chair

On motion of Senator Holmgren, the committee reports were adopted. **S.B. 129, H.B. 9, H.B. 174, and H.B. 214** were placed on Second Reading Calendar.

On motion of Senator Holmgren, **H.B. 220** was read the second time and placed on Consent Calendar.

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Mr. President:

January 30, 1998

The Education Committee reports a favorable recommendation on **H.B. 7**, COMPUTERS FOR PUBLIC SCHOOLS PILOT PROGRAM, by Representative S. Allen, with the following amendments:

1. Page 2, Line 3:  
After "(c)" insert "(i)"
2. Page 2, Line 4:  
After line 4 insert:  
"(ii) In order for a school district to participate in the pilot program, it must first demonstrate to the satisfaction of the board a sustained effort to meet its existing technology needs by providing related support and training."
3. Page 2, Line 15:  
After line 15 insert:  
"(d) If the number of computers requested exceeds the number of computers available under the program, then the board's determination as to which applicants are given priority shall be based on a school district's efforts to secure computers in the previous fiscal year as compared to all other school districts."; and

The Energy, Natural Resources, and Agriculture Committee reports a favorable recommendation on **S.B. 37**, OPEN SPACE NEAR STATE PRISON, by Senator R. Evans, with the following amendments:

1. Page 1, Line 16:  
After "parcel of" delete "approximately 350-400"

2. Page 1, Line 17:  
At the beginning of line 17 delete “acres of”
3. Page 1, Line 22:  
After “land” insert “and other present conditions”
4. Page 2, Line 7:  
After “local governments.” insert “the state archeologist, the Division of Indian Affairs.”
5. Page 2, Line 8:  
After “parties.” delete “determine” and insert “recommend to the Legislature and the governor”; and

The Energy, Natural Resources, and Agriculture Committee reports a favorable recommendation on **S.B. 46**, URBAN AND COMMUNITY FORESTRY, by Senator R. Steiner; and

The Energy, Natural Resources, and Agriculture Committee reports a favorable recommendation on **S.R. 3**, SUPPORT FOR WENDOVER UTAH-NEVADA ENOLA GAY RESTORATION PROJECT, by Senator G. Mantes; and

The Energy, Natural Resources, and Agriculture Committee reports a favorable recommendation on **H.B. 37**, PURCHASE OF TELECOMMUNICATIONS SERVICE, by Representative B. Evans; and

The Energy, Natural Resources, and Agriculture Committee reports a favorable recommendation on **H.J.R. 7**, RESOLUTION ON RESTRUCTURING OF ELECTRICAL INDUSTRY, by Representative B. Evans, and recommends it be considered read for the second time and placed on the Consent Calendar.

Lorin Jones, Chair

On motion of Senator Holmgren, the committee reports were adopted. **H.B. 7, S.B. 37, S.B. 46, S.R. 3**, and **H.B. 37** were placed on Second Reading Calendar.

On motion of Senator Holmgren, **H.J.R. 7** was read the second time and placed on the Consent Calendar.

## INTRODUCTION OF BILLS

### APPROPRIATION ACT

#### **S.B. 1**

*LeRay McAllister*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**1998 HIGHWAY FINANCING****S.B. 2***Lane Beattie*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**MINIMUM SCHOOL PROGRAM ACT AMENDMENT****S.B. 3***Robert F. Montgomery*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**IMMUNITY FOR VOLUNTEERS****S.B. 54***Craig L. Taylor*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**MUSIC LICENSING PRACTICES ACT****S.B. 55***Scott N. Howell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**BOW HUNTER CERTIFICATION****S.B. 56***Millie M. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**CONCEALED FIREARMS AMENDMENTS****S.B. 57***Lane Beattie*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**STUDY ON RESIDENTIAL PROPERTY TAX AMENDMENTS****S.B. 58***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**JUDICIAL NOMINATING PROCEDURE AMENDMENTS****S.B. 59***Craig L. Taylor*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**MOTOR VEHICLE INSURANCE - LIABILITY  
ON RENTAL OR LOANED VEHICLE****S.B. 60***George Mantes*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**EMPLOYMENT OF OUT-OF-STATE  
CONTRACTORS AND EMPLOYEES****S.B. 61***Eddie P. Mayne*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**DISTRICT COURT REVIEW OF TAX COMMISSION CASES****S.B. 62***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**INCOME TAX - EDUCATION TAX CREDIT****S.B. 155***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**SALES TAX FOR ARTS AND RECREATION****S.B. 156***David L. Buhler*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**LIMITATION ON LIABILITY OF  
NONPROFIT CORPORATION VOLUNTEERS****S.B. 157***Scott N. Howell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**DONATION OF BUILDINGS TO UNIVERSITIES****S.B. 158***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**GOVERNMENT RELATIONSHIP TO OLYMPICS****S.B. 159***Alarik Myrin*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**AFTER-SCHOOL ACCESS TO COMPUTERS TASK FORCE****S.B. 160***Millie M. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**MOTOR VEHICLE REPAIR - INSURANCE DEDUCTIBLE****S.B. 161***Scott N. Howell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**ELECTION RESPONSIBILITIES****S.B. 162***L. Steven Poulton*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RECRUITMENT AND TRAINING OF FOSTER FAMILIES****S.B. 163***Nathan C. Tanner*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**DISTRIBUTION LIMITATIONS ON A TRUST BENEFICIARY****S.B. 164***Robert F. Montgomery*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.



**PROPERTY TAXES – ABATEMENT FOR INDIGENT PERSONS****S.B. 165***Lyle W. Hillyard*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**FOOD HANDLER LICENSING****S.B. 166***Leonard M. Blackham*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**INCOME TAX – AUTOMOBILE INSURANCE DEDUCTION****S.B. 167***Alarik Myrin*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**CHILD ABUSE DATABASE AMENDMENTS****S.B. 168***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**COAL MINING AMENDMENTS****S.B. 169***Mike Dmitrich*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**WORKERS' COMPENSATION FUND OF UTAH AMENDMENTS****S.B. 170***L. Steven Poulton*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**UNDERGROUND UTILITIES FACILITIES AMENDMENTS****S.B. 171***John P. Holmgren*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPRENTICESHIP TRAINING FUNDING****S.B. 172***Michael G. Waddoups*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPRAISER REGISTRATION AND CERTIFICATION****S.B. 173***Mike Dmitrich*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**QUALITY ASSURANCE ON  
CONSTRUCTION OF PUBLIC BUILDINGS****S.B. 174***Eddie P. Mayne*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**STATE SETTLEMENT AGREEMENT****S.B. 175***Lane Beattie*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**HIGHWAY TRANSFERS AND HIGHWAY  
JURISDICTION AND FUNDING TASK FORCE****S.B. 176***John P. Holmgren*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**LONG TERM LEASE - NORTH CAMPUS OF UVSC****S.B. 177***LeRay McAllister*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**VOLUNTEERS IN HIGHER EDUCATION RESOLUTION****S.B. 178***David H. Steele*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**PROPERTY TAX STRUCTURE AND ADMINISTRATION****S.B. 179***Robert F. Montgomery*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**PROCUREMENT OF PRIVATE SECTOR GOODS AND SERVICES****S.B. 180***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**LIMITING LIABILITY IN HOCKEY FACILITIES****S.B. 181***L. Alma Mansell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESTRICTION ON STATE AND LOCAL  
GOVERNMENTS COLLECTING MONIES FOR GROUPS****S.B. 182***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**DANGEROUS WEAPONS RESTRICTIONS****S.B. 183***Robert C. Steiner*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**STATE RESPONSIBILITIES FOR AQUACULTURE****S.B. 184***Scott N. Howell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**TAX AMENDMENTS****S.B. 185***Leonard M. Blackham*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**USE OF COMPUTER LABS IN THE PUBLIC SCHOOLS****S.B. 186***Millie M. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**UTAH COUNCIL ON VICTIMS****S.B. 187***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**STATE OLYMPIC COORDINATION AMENDMENTS****S.B. 188***Alarik Myrin*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**COUNTY DEVELOPMENT COORDINATION COMMITTEE****S.B. 189***LeRay McAllister*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**CREDIT CARD AMENDMENTS****S.B. 190***David L. Buhler*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**TOWNSITE STATUTE MODIFICATION****S.B. 191***Robert M. Muhlestein*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**CLANDESTINE DRUG LAB AMENDMENTS****S.B. 192***Pete Suazo*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**EMPLOYMENT RELATIONSHIPS IN FILM INDUSTRY****S.B. 193***Eddie P. Mayne*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**STATE BOARD OF REGENTS  
OVERSIGHT OF STUDENT INSTRUCTION****S.B. 194***Eddie P. Mayne*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**PAYMENT OF OUT OF NETWORK HEALTH CARE PROVIDERS****S.B. 195***Eddie P. Mayne*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**HIGH LEVEL NUCLEAR WASTE DISPOSAL****S.B. 196***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**TASK FORCE ON LOCAL AIRPORT FUNDING****S.B. 197***Lyle W. Hillyard*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**MOLD RETENTION LAW, MOLD LIEN LAW,  
AND CREDITOR'S RIGHTS****S.B. 198***Mike Dmitrich*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**ARTS, TECHNOLOGY, AND EDUCATION APPROPRIATION****S.B. 199***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**BOATING LAW CHANGES****S.B. 200***Nathan C. Tanner*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RETIREMENT ELIGIBILITY FORMULA****S.B. 201***Michael G. Waddoups*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**DENTAL LICENSE REGIONAL BOARD EXAM****S.B. 202***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**FUNDING EDUCATION  
THROUGH COMMERCIAL ADVERTISEMENT****S.B. 203***Mike Dmitrich*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPROPRIATION FOR FESTIVAL OF THE AMERICAN WEST****S.B. 204***John P. Holmgren*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**DEFINING RESIDENTIAL AREA  
FOR BUILDING PERMIT EXEMPTIONS****S.B. 205***Alarik Myrin*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**PROCEDURAL RIGHTS FOR LAW ENFORCEMENT OFFICERS****S.B. 206***Eddie P. Mayne*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**PROFESSIONAL BOXING ACT AMENDMENTS****S.B. 207***Pete Suazo*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPROPRIATION FOR ENGINEERING  
AND PRE-ENGINEERING PROGRAM****S.B. 208***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**TAX EXPENDITURES FOR ZOOLOGICAL FACILITIES****S.B. 209***L. Steven Poulton*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**INCOME TAX CREDIT FOR STAY-AT-HOME  
PARENTS OR GUARDIAN****S.B. 210***Robert M. Muhlestein*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**SALES TAX - PREPAID CALLING CARDS****S.B. 211***Lyle W. Hillyard*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**TAX INCREMENT FINANCING OF REDEVELOPMENT AGENCIES****S.B. 212***L. Alma Mansell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPROPRIATION FOR TRAINING AND  
EDUCATION OF LOCAL GOVERNMENTS****S.B. 213***Leonard M. Blackham*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPROPRIATION FOR UTAH STATE FAIRPARK****S.B. 214***Pete Suazo*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**LICENSE PLATES FOR CHILDREN'S ISSUES****S.B. 215***Pete Suazo*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPROPRIATION TO OFFICE OF ATTORNEY GENERAL****S.B. 216***George Mantes*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**TAX CREDIT FOR CLEAN FUEL VEHICLES****S.B. 217***LeRay McAllister*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**CURRICULUM REQUIREMENTS IN SECONDARY SCHOOLS****S.B. 218***Craig L. Taylor*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**HOUSEHOLD HAZARDOUS WASTE AMENDMENTS****S.B. 219***John P. Holmgren*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESEARCH AND DEVELOPMENT CREDIT  
FOR MACHINERY AND EQUIPMENT****S.B. 220***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.



**911 – TELEPHONE SURCHARGE FEE****S.B. 221***David H. Steele*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**BOARD OF PARDONS AND PAROLE HEARING REQUIREMENTS****S.B. 222***Scott N. Howell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**PUBLIC EDUCATION AMENDMENTS****S.B. 223***Leonard M. Blackham*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**APPROPRIATION FOR TUACAHN FOUNDATION****S.B. 224***Lorin V. Jones*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION REQUESTING CONGRESS TO  
ALLOW INDIVIDUALS TO OPT OUT OF SOCIAL SECURITY****S.C.R. 4***Craig L. Taylor*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**CONCURRENT RESOLUTION APPROVING  
HAZARDOUS WASTE FACILITY MODIFICATIONS****S.C.R. 5***Leonard M. Blackham*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**VOLUNTEERS IN HIGHER EDUCATION RESOLUTION****S.C.R. 6***David H. Steele*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESIDENTIAL PROPERTY TAX AMENDMENTS RESOLUTION****S.J.R. 2***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION LIMITING PROPERTY TAX FOR RETIREES****S.J.R. 12***Robert C. Steiner*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION ON REVIEW OF TAX COMMISSION CASES****S.J.R. 13***Howard A. Stephenson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION ADDRESSING OLYMPIC FINANCING****S.J.R. 14***Alarik Myrin*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION APPROVING MODIFICATION  
OF HAZARDOUS WASTE FACILITY****S.J.R. 15***Leonard M. Blackham*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**MASTER STUDY RESOLUTION****S.J.R. 16***Craig A. Peterson*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION AMENDING INTANGIBLE PROPERTY TAX****S.J.R. 17***Lyle W. Hillyard*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION ENCOURAGING PARENTS  
OVERSIGHT OF CHILDREN'S TELEVISION VIEWING**

**S.R. 4***Scott N. Howell*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

**RESOLUTION URGING  
STUDY OF REGIONAL COMMUTER SYSTEM**

**S.R. 5***Robert F. Montgomery*

Introduced by Short Title, was read for the first time and referred to the President of the Senate.

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On motion of Senator Taylor, the Senate authorized a bill file to be open concerning a tax credit for purchase of prosthetic devices for families of children with disabilities.

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Senator Steele, on behalf of the Legislature, presented a special citation to Joseph Wade, Office of Legislative Research and General Counsel, for his invaluable contributions to the legislative automation process.

**BILL ASSIGNMENT REPORTS**

To the Members of the Senate:

February 2, 1998

The President having received the following House bills assigns them to the following committees:

**Business, Labor & Economic Development****H.B. 78**                      Testing Period for Hearing Aids (L. Pace)**Education****H.B. 47**                      Appropriation for English as Second Language Adult Education Classes (T. Rowan)**H.B. 247**                      Revenues for the State School Fund (D. Iverson)**Human Services****H.B. 4**                        Statewide Implementation of Foster Care Citizen Review Boards (N. Stephens)**Judiciary****1st Sub. H.B. 46**          Joinder of Misdemeanor and Felony Offenses (S. Barth)

**H.B. 64** Child Abuse Offense Amendments (G. Cox)

**Revenue & Taxation**

**1st Sub. H.B. 216** Sales Tax Exemption for Municipality-Sponsored Events  
(D. Ure)

**State & Local Affairs**

**H.B. 75** Prohibiting Fusion Candidates for Political Office  
(J. Murray)

**H.B. 238** Transit District Authority (R. Bigelow)

**Transportation & Public Safety**

**H.B. 10** Driving Under the Influence – Conditional Licensing  
(N. Stephens); and

The President having received the following Senate bills with their fiscal notes, orders them printed and assigned to the following committees:

**Business, Labor & Economic Development**

**S.B. 144** Changes Regarding Existing Hazardous Waste Facilities  
(L. Blackham)

**Human Services**

**S.B. 135** Expansion of Children’s Justice Center Program  
(C. Peterson)

**Revenue & Taxation**

**S.B. 47** Research Tax Credit (H. Nielson)

**S.B. 71** Severance Tax Law Changes (A. Myrin)

**Transportation & Public Safety**

**S.B. 23** Negligent Storage of Loaded Firearm (R. Steiner)

**S.B. 134** Soil Conservation Special License Plate (A. Myrin)

**S.B. 140** Extending Renewal of Concealed Firearm Permits  
(M. Waddoups)

**S.B. 141** Handgun Purchase Requirements (M. Waddoups)  
Lane Beattie, Senate President

Report filed.

**CONSENT CALENDAR**

**S.B. 124**, SUNSET REAUTHORIZATIONS OF LICENSED PROFESSIONS, was read the third time and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent, 6.**

**Voting in the affirmative were:** Senators

Buhler	Dmitrich	Hillyard	Holmgren
Hull	Jones	Mantes	Mayne

McAllister	Montgomery	Muhlestein	Myrin
Nielson	C. Peterson	M. Peterson	Steele
Steiner	Suazo	Tanner	Taylor
Waddoups	Wharton	Beattie	

**Absent or not voting were:** Senators

Blackham	Evans	Howell	Mansell
Poulton	Stephenson		

**S.B. 124** was transmitted to the House.

**SPECIAL ORDER OF BUSINESS**

**Sub. S.B. 34**, SALES TAX – EXEMPTION FOR HIGHER EDUCATION ATHLETIC EVENTS, was read the second time and explained by Senator Hillyard.

On motion of Senator Hillyard, Chris Hill, University of Utah Athletic Director; Rondo Fellberg, Brigham Young University Athletic Director; and John Johnson, Weber State University Athletic Director, spoke in Committee of the Whole.

Senators Blackham and Steiner commented. The bill passed on the following roll call:

**Yeas, 28; Nays, 0; Absent, 1.**

**Voting in the affirmative were:** Senators

Blackham	Buhler	Dmitrich	Evans
Hillyard	Holmgren	Howell	Hull
Jones	Mansell	Mantes	Mayne
McAllister	Montgomery	Muhlestein	Myrin
Nielson	M. Peterson	Poulton	Steele
Steiner	Stephenson	Suazo	Tanner
Taylor	Waddoups	Wharton	Beattie

**Absent or not voting was:** Senator

C. Peterson

**Sub. S.B. 34** was transmitted to the House.

\* \* \*

On motion of Senator Evans, **S.B. 90**, ASSAULTING A PEACE OFFICER, will be considered Wednesday, February 4, 1998 at 10:30 a.m.

On motion of Senator Evans, **S.B. 37**, OPEN SPACE NEAR STATE PRISON, will be considered Thursday, February 5, 1998 at 10:30 a.m..

### THIRD READING CALENDAR

**S.B. 108**, ALCOHOLIC BEVERAGE LAW AMENDMENTS, was read the third time, explained by Senator Buhler, and passed on the following roll call:

**Yeas, 28; Nays, 0; Absent, 1.**

**Voting in the affirmative were:** Senators

Blackham	Buhler	Dmitrich	Hillyard
Holmgren	Howell	Hull	Jones
Mansell	Mantes	Mayne	McAllister
Montgomery	Muhlestein	Myrin	Nielson
C. Peterson	M. Peterson	Poulton	Steele
Steiner	Stephenson	Suazo	Tanner
Taylor	Waddoups	Wharton	Beattie

**Absent or not voting was:** Senator  
Evans

**S.B. 108** was transmitted to the House.

\* \* \*

**S.B. 95**, ORDERLY SCHOOL TERMINATION ACT AMENDMENTS, was read the third time, explained by Senator Steele, and passed on the following roll call:

**Yeas, 28; Nays, 0; Absent, 1.**

**Voting in the affirmative were:** Senators

Blackham	Buhler	Dmitrich	Evans
Hillyard	Holmgren	Howell	Hull
Mansell	Mantes	Mayne	McAllister
Montgomery	Muhlestein	Myrin	Nielson
C. Peterson	M. Peterson	Poulton	Steele
Steiner	Stephenson	Suazo	Tanner
Taylor	Waddoups	Wharton	Beattie

**Absent or not voting was:** Senator  
Jones

**S.B. 95** was transmitted to the House.

\* \* \*

**S.B. 30**, SCHOOL ACTIVITIES REPORT, was read the third time and explained by Senator Myrin.

On motion of Senator Myrin, the bill was amended as follows:

1. Page 3, Line 6 (goldenrod copy):  
Delete "and"
2. Page 3, Line 7:  
After "activities" delete the period and insert ": and"

The bill passed on the following roll call:

**Yeas, 28; Nays, 0; Absent, 1.**

**Voting in the affirmative were:** Senators

Buhler	Dmitrich	Evans	Hillyard
Holmgren	Howell	Hull	Jones
Mansell	Mantes	Mayne	McAllister
Montgomery	Muhlestein	Myrin	Nielson
C. Peterson	M. Peterson	Poulton	Steele
Steiner	Stephenson	Suazo	Tanner
Taylor	Waddoups	Wharton	Beattie

**Absent or not voting was:** Senator

Blackham

**S.B. 30** was transmitted to the House.

\* \* \*

**S.B. 93**, HIGHER EDUCATION PRESIDENTIAL AUTHORITY, was read the third time, explained by Senator Evans, and passed on the following roll call:

**Yeas, 19; Nays, 9; Absent, 1.**

**Voting in the affirmative were:** Senators

Blackham	Buhler	Dmitrich	Evans
Howell	Hull	Jones	Mansell
Mayne	Montgomery	Muhlestein	Nielson
C. Peterson	M. Peterson	Steele	Steiner
Suazo	Waddoups	Wharton	

**Voting in the negative were:** Senators

Hillyard	Holmgren	McAllister	Myrin
Poulton	Stephenson	Tanner	Taylor
Beattie			

**Absent or not voting was:** Senator

Mantes

**S.B. 93** was transmitted to the House.

\* \* \*

**S.B. 117**, CRITERIA FOR SOUND WALLS, was read the third time, explained by Senator Suazo, and passed on the following roll call:

**Yeas, 29; Nays, 0; Absent, 0.****Voting in the affirmative were:** Senators

Blackham	Buhler	Dmitrich	Evans
Hillyard	Holmgren	Howell	Hull
Jones	Mansell	Mantes	Mayne
McAllister	Montgomery	Muhlestein	Myrin
Nielson	C. Peterson	M. Peterson	Poulton
Steele	Steiner	Stephenson	Suazo
Tanner	Taylor	Waddoups	Wharton
Beattie			

**S.B. 117** was transmitted to the House.**SPECIAL ORDER OF BUSINESS**

**S.B. 17**, PROPERTY TAX – EXTENDING RESIDENTIAL EXEMPTION, was read the second time.

On motion of Senator Buhler, the bill was amended as follows:

1. Page 6, Line 19:  
After “(a)(i)” insert “subject to the provisions of Subsection (5).”
2. Page 6, Line 21:  
After “(ii)(A)” insert “subject to the provisions of Subsection (5).”
3. Page 7, Line 4:  
After line 4 insert:



“(5) If an owner files an affidavit meeting the requirements of Subsection (4) for a secondary residence that qualifies for a residential exemption under this part, for the time period during which the secondary residence qualifies for the residential exemption: (a) the affidavit is valid; and (b) the owner is not required to file another affidavit under Subsection (4).”

Senator Buhler explained the bill. Senators Waddoups, Jones, Steiner, Blackham, Hull, Hillyard, Mansell, and M.. Peterson commented. Senators McAllister and Myrin declared conflicts of interest. The bill passed on the following roll call:

**Yeas, 15; Nays, 14; Absent, 0.**

**Voting in the affirmative were:** Senators

Blackham	Buhler	Evans	Howell
Mansell	McAllister	Montgomery	Nielson
C. Peterson	Poulton	Steiner	Tanner
Taylor	Waddoups	Beattie	

**Voting in the negative were:** Senators

Dmitrich	Hillyard	Holmgren	Hull
Jones	Mantes	Mayne	Muhlestein
Myrin	M. Peterson	Steele	Stephenson
Suazo	Wharton		

### COMMUNICATION FROM THE HOUSE

Mr. President: February 2, 1998

The House requests the return of **H.B. 273**, WATER EXCHANGE APPLICATIONS, by Representative D. Ure, for reconsideration.

Carole E. Peterson, Chief Clerk  
Communication filed. **H.B. 273** was returned to the House.

\* \* \*

On motion of Senator Hull, the Senate voted to strike the enacting clause on **S.B. 148**.

\* \* \*

On motion of Senator C. Peterson, **S.B. 215** was lifted from the Rules Committee and assigned to the Transportation and Public Safety Standing Committee.

\* \* \*

On motion of Senator C. Peterson and at 11:55 a.m., the Senate adjourned until 10:00 a.m., Tuesday, February 3, 1998.

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Placed on calendar . . . . .	140
Amendments . . . . .	136
Read the second time . . . . .	238
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Assigned to standing committee . . . . .	38
Placed on calendar . . . . .	97
Read the second time . . . . .	175
Read the third time . . . . .	199
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Transmitted to the House . . . . .	202
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Placed on calendar . . . . .	97
Amendments . . . . .	150
Substituted . . . . .	96
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Placed on calendar . . . . .	97
Read the second time . . . . .	175
Read the third time . . . . .	198
Circled . . . . .	199
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Transmitted to the House . . . . .	229
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Assigned to standing committee . . . . .	69
Placed on calendar . . . . .	117
Read the second time . . . . .	203
Read the third time . . . . .	236
Transmitted to the House . . . . .	236
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( <i>R. Evans</i> )	
Read for the first time and referred to the President of the Senate . . . . .	27
Placed on calendar . . . . .	39
Read the second time . . . . .	40
Read the third time . . . . .	71
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( <i>L. Hillyard</i> )	
Assigned to standing committee . . . . .	152
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Read for the first time and referred to the President of the Senate . . . . .	27
Assigned to standing committee . . . . .	94
Placed on calendar . . . . .	117
Read the second time . . . . .	204
Read the third time . . . . .	236
Transmitted to the House . . . . .	236
<b>S.B. 86</b> -- ADMINISTRATIVE RULES AMENDMENTS ( <i>H. Stephenson</i> )	
Read for the first time and referred to the President of the Senate . . . . .	27
Assigned to standing committee . . . . .	94
Placed on calendar . . . . .	117
Amendments . . . . .	237
Read the second time . . . . .	204
Read the third time . . . . .	237
Transmitted to the House . . . . .	237
<b>S.B. 87</b> -- ATTEMPTED PURCHASE OF TOBACCO BY CHILDREN ( <i>H. Stephenson</i> )	
Read for the first time and referred to the President of the Senate . . . . .	27
Assigned to standing committee . . . . .	38
Placed on calendar . . . . .	95
Read the second time . . . . .	146
Read the third time . . . . .	170
Transmitted to the House . . . . .	170
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Read for the first time and referred to the President of the Senate . . . . .	28
Assigned to standing committee . . . . .	38
Placed on calendar . . . . .	97
Amendments . . . . .	96, 151, 172, 230
Read the second time . . . . .	151
Read the third time . . . . .	172
Circled . . . . .	173
Uncircled . . . . .	230
Transmitted to the House . . . . .	231
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Assigned to standing committee . . . . .	38
Placed on calendar . . . . .	96

	Read the second time . . . . .	147
	Read the third time . . . . .	170
	Transmitted to the House . . . . .	171
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	Read for the first time and referred to the President of the Senate . . . . .	28
	Assigned to standing committee . . . . .	70
	Placed on calendar . . . . .	224
	Amendments . . . . .	224
	Other . . . . .	313
<b>S.B. 91</b>	-- TOURISM, RECREATION, CULTURAL, AND CONVENTION TAX AMENDMENTS ( <i>N. Tanner</i> )	
	Read for the first time and referred to the President of the Senate . . . . .	28
	Assigned to standing committee . . . . .	38
<b>S.B. 92</b>	-- COMMISSION STAFFING AND DUTIES ( <i>L. Beattie</i> )	
	Read for the first time and referred to the President of the Senate . . . . .	29
	Assigned to standing committee . . . . .	38
	Placed on calendar . . . . .	97
	Read the second time . . . . .	151, 173
	Transmitted to the House . . . . .	173
<b>S.B. 93</b>	-- HIGHER EDUCATION PRESIDENTIAL AUTHORITY ( <i>R. Evans</i> )	
	Read for the first time and referred to the President of the Senate . . . . .	29
	Assigned to standing committee . . . . .	37
	Placed on calendar . . . . .	95, 144
	Amendments . . . . .	123, 269
	Read the second time . . . . .	123
	Read the third time . . . . .	315
	Transmitted to the House . . . . .	316
	Reconsideration . . . . .	269
	Failed . . . . .	124
<b>S.B. 94</b>	-- AMENDMENTS TO SPECIAL DISTRICTS ( <i>R. Evans</i> )	
	Read for the first time and referred to the President of the Senate . . . . .	29
	Assigned to standing committee . . . . .	38
	Placed on calendar . . . . .	96
	Amendments . . . . .	149
	Read the second time . . . . .	147
	Read the third time . . . . .	171
	Transmitted to the House . . . . .	172
<b>S.B. 95</b>	-- ORDERLY SCHOOL TERMINATION ACT AMENDMENTS ( <i>D. Steele</i> )	
	Read for the first time and referred to the President of the Senate . . . . .	29
	Assigned to standing committee . . . . .	37
	Placed on calendar . . . . .	140
	Amendments . . . . .	140
	Read the second time . . . . .	268
	Read the third time . . . . .	314
	Transmitted to the House . . . . .	315
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	Read for the first time and referred to the President of the Senate . . . . .	30
	Assigned to standing committee . . . . .	37
	Placed on calendar . . . . .	83
	Read the second time . . . . .	103
	Read the third time . . . . .	120
	Transmitted to the House . . . . .	120
<b>S.B. 97</b>	-- LICENSE PLATES – SNOWBOARD UTAH ( <i>R. Montgomery</i> )	
	Read for the first time and referred to the President of the Senate . . . . .	30
	Assigned to standing committee . . . . .	70
	Placed on calendar . . . . .	115

Amendments . . . . .	115
Read the second time . . . . .	201
Read the third time . . . . .	232
Circled . . . . .	265
Reconsideration . . . . .	265
Failed . . . . .	233
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Read for the first time and referred to the President of the Senate . . . . .	30
Assigned to standing committee . . . . .	69
<b>S.B. 99</b> -- MOTOR VEHICLE – CONSUMER PROTECTION AMENDMENTS ( <i>D. Buhler</i> )	
Read for the first time and referred to the President of the Senate . . . . .	30
Assigned to standing committee . . . . .	70
Placed on calendar . . . . .	167
Read the second time . . . . .	269
Circled . . . . .	269
Uncircled . . . . .	270
<b>S.B. 100</b> -- RADAR JAMMING DEVICES ( <i>J. Hull</i> )	
Read for the first time and referred to the President of the Senate . . . . .	31
Assigned to standing committee . . . . .	125
Placed on calendar . . . . .	224
<b>S.B. 101</b> -- SPECIAL REVENUE FUND ( <i>L. McAllister</i> )	
Read for the first time and referred to the President of the Senate . . . . .	31
Placed on calendar . . . . .	39
Read the second time . . . . .	41
Read the third time . . . . .	72
Transmitted to the House . . . . .	72
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Read for the first time and referred to the President of the Senate . . . . .	31
Assigned to standing committee . . . . .	69
Placed on calendar . . . . .	260
<b>S.B. 103</b> -- INDIGENT DEFENSE FUND AMENDMENTS ( <i>L. Blackham</i> )	
Read for the first time and referred to the President of the Senate . . . . .	31
Assigned to standing committee . . . . .	69
Placed on calendar . . . . .	168
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Read for the first time and referred to the President of the Senate . . . . .	31
Assigned to standing committee . . . . .	69
<b>S.B. 105</b> -- UTAH CENTENNIAL OPPORTUNITY PROGRAM FOR EDUCATION ACT AMENDMENT ( <i>L. McAllister</i> )	
Read for the first time and referred to the President of the Senate . . . . .	32
Assigned to standing committee . . . . .	124
Placed on calendar . . . . .	195
<b>S.B. 106</b> -- PARKING RESTRICTIONS ( <i>D. Buhler</i> )	
Read for the first time and referred to the President of the Senate . . . . .	32
Assigned to standing committee . . . . .	70
<b>S.B. 107</b> -- NOTARY ON ELECTRONIC DOCUMENT ( <i>C. Peterson</i> )	
Read for the first time and referred to the President of the Senate . . . . .	32
Assigned to standing committee . . . . .	69
Placed on calendar . . . . .	168
<b>S.B. 108</b> -- ALCOHOLIC BEVERAGE LAW AMENDMENTS ( <i>D. Buhler</i> )	
Read for the first time and referred to the President of the Senate . . . . .	32
Assigned to standing committee . . . . .	69



Placed on calendar . . . . .	140
Read the second time . . . . .	267
Read the third time . . . . .	314
Transmitted to the House . . . . .	314
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Read for the first time and referred to the President of the Senate . . . . .	33
Assigned to standing committee . . . . .	153
Placed on calendar . . . . .	261
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Read for the first time and referred to the President of the Senate . . . . .	33
Assigned to standing committee . . . . .	94
Placed on calendar . . . . .	224
<b>S.B. 111</b> -- ENTERPRISE ZONE AMENDMENTS ( <i>M. Dmitrich</i> )	
Read for the first time and referred to the President of the Senate . . . . .	33
Assigned to standing committee . . . . .	94
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Assigned to standing committee . . . . .	69
<b>S.B. 113</b> -- LOADED VEHICLES - EXEMPTION FOR FARM VEHICLES ( <i>J. Hull</i> )	
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Assigned to standing committee . . . . .	69
Placed on calendar . . . . .	225
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<b>S.B. 114</b> -- THIS IS THE PLACE FOUNDATION ( <i>D. Buhler</i> )	
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Assigned to standing committee . . . . .	153
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Assigned to standing committee . . . . .	153
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Assigned to standing committee . . . . .	70
Placed on calendar . . . . .	167
Read the second time . . . . .	269
Read the third time . . . . .	316
Transmitted to the House . . . . .	316
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Assigned to standing committee . . . . .	124
Placed on calendar . . . . .	194
Read the second time . . . . .	194
Read the third time . . . . .	312
Transmitted to the House . . . . .	313
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Placed on calendar . . . . .	125
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Read the third time . . . . .	145
Transmitted to the House . . . . .	145
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